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5 IN THE UNITED STATES DISTRICT COURT
6 FOR THE NORTHERN DISTRICT OF CALIFORNIA
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8 IN RE: TFT-LCD (FLAT PANEL) ANTITRUST
9 LITIGATION

No. M 07-1827 SI
MDL No. 1827

10 This Order Relates To:

No. C 11-2495 SI

11 JACO ELECTRONICS, INC.,

**ORDER DENYING NEC'S MOTION TO
STAY TRIAL COURT PROCEEDINGS
PENDING APPEAL**

12 Plaintiff,

13 v.

14 AU OPTRONICS CORPORATION, *et al.*,

15 Defendants.
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17 Defendants NEC Corporation, NEC LCD Technologies, Ltd., and Renesas Electronics America,
18 Inc. (collectively, "NEC") have filed a motion to stay the proceedings against them pending their appeal
19 of this Court's order granting in part their motion to compel arbitration. Given the complexity of this
20 MDL, the Court has generally been disinclined to grant stays to individual defendants. NEC has not
21 persuaded the Court to depart from this general rule. Whatever NEC's likelihood of success on appeal,
22 the Court is convinced that permitting partial stays to specific defendants represents an unmanageable
23 option. Further, the Court is cognizant of the fact that NEC is a defendant in numerous other cases
24 in this MDL. Thus, a stay would do little to defer the cost of this litigation to NEC. *See* Motion at 11-
25 12 (claiming that NEC will suffer irreparable injury primarily because of cost of litigation and noting
26 that NEC has "not engaged in any discovery to date").

27 Accordingly, for the foregoing reasons and for good cause shown, the Court hereby DENIES
28 NEC's motion to stay trial court proceedings pending appeal. The hearing currently scheduled for

1 March 2, 2012 is VACATED. *See* Civil Local Rule 7-1(b). Docket No. 4652 in 07-1827; Docket
2 No. 63 in 11-2495.

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4 **IT IS SO ORDERED.**

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6 Dated: February 29, 2012



SUSAN ILLSTON
United States District Judge